

GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

SUITS – Land Acquisition – Nizamabad District –Balkonda (M) – Nallur (V) – O.P.No.606/1994 – Dismissed by the Hon'ble High Court of Andhra Pradesh, Hyderabad – Sanction of Rs.50,83,363/- Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 467

DATE: 07.06.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr.No.SRP2/377/2008,
dated19.04.2008 alongwith the letter of the Spl.Collector, Nizamabad.

O R D E R:

The Special Chief Secretary & Chief Commissioner of Land Administration, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.No.606/94 pertaining to Balkonda (M) Nallur (V), Nizamabad District. The brief history of the case is that the then LAO had acquired the land for an extent of Ac.1831.91 gts for excavation for the purpose of Seepage and Perculation under SRSP Reservoir in the limits of Balkonda (M) by fixing the market value Rs.0.52 Paise for structure value ground floor and Well value Rs.12,106/- vide Award No.29/93-94, dt:31.03.1994. The awardees have filed petitions u/s 18 of L.A.Act. The Addl.Dist.Judge, Nizamabad has enhanced the land value from 0.52 paise to @Rs.6/- sq.mtrs and Well value Rs.12,106/- to 25% more vide his judgment and decree dt:26.04.2002. Aggrieved by the enhancement ordered by the Civil Court, Govt have preferred an Appeal. The Division Bench of the Hon'ble High Court in their order dt:30.10.2006 in AS No.3562/2003 confirmed the Award made by the Civil Court.

2) After careful examination of the matter, Government hereby accord sanction for an amount of Rs.50,83,363/-(Rupees fifty lakhs eighty three thousand three hundred and sixty three only)towards decretal charges in O.P.No.606/94 pertaining to Balkonda (M) Nallur (V) Nizamabad Distirct subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by he Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh,

Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

-2-

3) The Special Collector, SRSP, Hyderabad is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants under PJP for avoiding intervention of the middlemen.

4) The expenditure sanctioned in para (2) above shall be debitable to the following Head of Account "2701- Capital Out Lay – M & MI – 01 – Major Irrigation –Commercial – MH.116 –Sriramasagar Project –GH.11–Normal State Plan–SH (27) Canals & Distributaries -530/532. Lands (Charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.6295/F4(2)/2008-1, dated 23.05.2008.

(BY ORDER AND IN THE NAME OF GOVERNMENT OF ANDHRA
PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To
The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.
The Special Collector, SRSP, Tarnaka, Hyderabad.
The SDC, LA-cum-Loc, Unit, SRSP, Pochampad.
The Administrative-cum-Chief Engineer, Hyderabad.
The Director of Works Accounts, Hyderabad.
Copy to: P.S. to Minister (M& MI).
Finance (W&P) Department/File C.No.12700/LA-III(A1/2008.
SF/SCs

//FORWARDED ::BY ORDER//

SECTION OFFICER